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UNITED LAWYERS SERVICE

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M.S. # 11 : other

At IAS Part 11 of the Supreme Court of the State of New York, held in and for the County of New York at the Courthouse located at 60 Centre Street, New York, New York on the 22 day of August, 2007.

PRESENT: **JOAN A. MADDEN**
Justice of the Supreme Court

APPROVED
FOR THE PAYMENT
OF MOTION FEE
ONLY

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

IN RE: NEW YORK CITY ASBESTOS LITIGATION

This Document Relates To:

CHRISTIAN HOLINKA,

Plaintiff,

-against-

A.W. CHESTERON et. al.,

Defendants.

Index No.: 114120-06

ORDER TO SHOW CAUSE

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UPON the annexed Affirmation of Carol Tempesta, Esq., ~~sworn to on~~ ^{Noted} on the 28th day of August 2007, the exhibits attached thereto and upon all prior pleadings and proceedings heretofore had herein, and good cause having been shown, it is hereby:

ORDERED, that the plaintiffs show cause before IAS Part 11 to be held at the New York County Courthouse in Room 351, located at 60 Center Street, New York, New York, before the Honorable Joan Madden, JSC on the 12th day of September, 2007, at 9:00 A.M. of that day, or as soon thereafter as counsel may be heard, why an Order should not be made, granting the motion *in limine* of Defendants, VWR International, Inc. ("VWR") and Univar USA Inc. ("Univar"), Baxter Healthcare Corporation (alleged to be a successor in interest to American

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Hospital Supply Corp. and American Scientific Products) ("Baxter"), ManorCare Health Services, Inc. (alleged to be a successor in interest to Central Scientific Company, a division of Cenco, Inc.) ("ManorCare") and Fisher Scientific International Inc. ("Fisher") (collectively, "Defendants") to preclude the testimony of Dr. Barry Castleman and Dr. Douglas Pohl at the trial of this action and for such other and further relief as the Court may deem appropriate, and it is further

ORDERED, that sufficient cause having been alleged, let service of a copy of this Order and supporting papers on which it is based, on or before August 24, 2007, by personal and facsimile service upon attorney for plaintiffs and by facsimile upon all other parties who are remaining in this action shall be deemed good and sufficient service.

ORDERED, that answering papers, if any, shall be served via facsimile at least two (2) days before the return of this motion.

ENTERED:


JOANA A. MADDEN

JOAN MADDEN, JSC
Justice of the Supreme Court